



In The United States Patent And Trademark Office

Applicant: Farah D. Morton

Examiner: Hewitt, James M.

Serial No. 10/716,247

Filed: 11/17/2003

For: Portable Infant Bed

Group Art Unit: 3679

Docket: 4460

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT ACCOMPANYING PETITION TO REVIVE

APPLICATION UNDER 37 C.F.R. §1.137(b)

This is in response to a final Office Action dated July 28, 2005.

BACKGROUND

On July 28, 2005, James M. Hewitt, the primary examiner, issued a final action in this case in which:

- (a) claims 13-15 and 55-61 were allowed;
- (b) claims 16-18, 33, 34, 62-69, and 71-75 were rejected under 35 U.S.C. §251, as being an improper recapture of broadened claimed subject matter surrendered in the application for Patent No. 6,370,715, upon which this reissue application is based;
- (c) claims 18-28, 31, 32, 35-37, 41, 47-54, and 69-75 were rejected because of certain informalities kindly pointed out by the examiner. Certain of these claims were also rejected under 35 U.S.C. §251, or otherwise objected to or subject to rejection on other grounds as well;
- (d) claims 1-12, 16-30, and 35-54 were objected to under 37 C.F.R. §1.75(i) which states that where a claim sets forth a plurality of elements or steps, each element or step of the claims should be separated by a line indentation;

- (e) claims 37, 44, 47, 52, and 75 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement;
- (f) claims 69 and 71-75 were rejected under 35 U.S.C. §102(b) as anticipated by Antosko 5,115,524;
- (g) claims 33, 34, 62-68, and 70 were rejected under 35 U.S.C. §103(a) as unpatentable (obvious) over Antosko 5,115,524 in view of Linge 5,675,853.

It is requested that the application be amended as follows: